

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Albert Earl Bell

Docket No. 4:04-CR-85-1H

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Albert Earl Bell, who, upon an earlier plea of guilty to Distribution of More Than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on July 6, 2005, to the custody of the Bureau of Prisons for a term of 151 months. The defendant was resentenced pursuant to Orders Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2) on March 16, 2009, to 130 months custody, and on April 23, 2012, to 120 months custody. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 5 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment relating to anger management, as directed by the probation office.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Albert Earl Bell was released from custody on May 3, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 2, 2005, the defendant pled no contest in Martin County Superior Court in Williamston, North Carolina, to Indecent Liberties With a Child and was sentenced to 21 to 26 months incarceration. It is respectfully recommended that the conditions of supervised release be modified to include sex offender treatment conditions in order to have the defendant evaluated to ensure he does not have any sexual interest in persons under the age of 16. If testing concludes that such an interest exists, this condition would be in place to ensure Bell receives the appropriate treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall submit to a psycho-sexual evaluation by a qualified mental health professional who is experienced in evaluating sexual offenders and who is approved by the U.S. Probation Officer.
2. The defendant shall participate in a sex offender treatment program as directed by the U.S. Probation Officer, and the defendant shall comply with and abide by all the rules, requirements, and conditions of the treatment program until discharged. The defendant shall take medication as prescribed by the treatment provider.
3. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

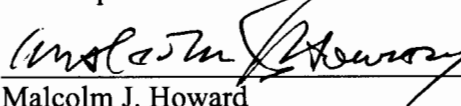
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-758-7200
Executed On: September 25, 2013

ORDER OF COURT

Considered and ordered this 25th day of September, 2013, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge